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Kyrgyzstan

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Alert: Status of Intercountry adoptions in Kyrgyzstan

Following the recent unrest in Kyrgyzstan, the Department of State (the Department) has expressed its support for the provisional government's efforts to resolve peacefully Kyrgyzstan's political problems and renew Kyrgyzstan's path to democracy, economic prosperity, and respect for human rights. On April 20, the Department posted a Travel Warning for Kyrgyzstan. The Kyrgyz government stopped processing all intercountry adoptions in October 2008 due to reports of corruption and fraud in the adoption process. The Department is working to determine the provisional government's stance on intercountry adoption, especially the pending cases of American families.

At present, the Kyrgyz government is not processing any adoption cases, including at least 65 adoptions by American families that were in progress when the halt was announced. Despite the unrest, we understand that the Kyrgyz criminal investigation of alleged corruption in the adoption process is ongoing. The allegations are serious: the Kyrgyz press has reported that two local adoption coordinators who worked with U.S. adoption agencies were arrested and released on bail. The Department urges the provisional government to complete urgently its criminal investigation and resolve the pending cases so that eligible children can be placed in permanent homes. We remind the Kyrgyz government that many of the children have serious health problems and that American families, despite the children's medical conditions, distance, and a two-year wait to complete their cases, remain committed to these children.

The Department has repeated this message to Kyrgyz officials in Washington and through U.S. Embassy Bishkek. In addition, we have raised the visibility of this issue, and addressed questions and concerns expressed by Kyrgyz officials and shared by some Kyrgyz citizens, through outreach programs. The Department has sponsored the visit of a U.S. adoption expert to Kyrgyzstan and an adoption-themed study tour to the United States for three senior Kyrgyz officials. Finally, we have encouraged Kyrgyzstan to strengthen safeguards in the adoption process and eventually accede to the Hague Adoption Convention.

On March 19, the Kyrgyz Parliament passed a bill that would amend certain Family Code provisions on adoption. It was not signed by the president. If enacted, the government must still approve additional regulations in order for adoptions to resume. The draft regulations, which the Ministry of Labor, Employment, and Migration recently posted on its Web site, address the eligibility of children for domestic and intercountry adoption (including relinquishment and abandonment determinations); the eligibility of adoptive parents; and application, court, and post-adoption reporting requirements. Regardless, the possible effect of the new law and regulations is unclear: neither expressly addresses the pending cases. We are working to determine the provisional government's position on the bill and draft regulations and how these measures would impact the pending adoptions.

The Department will continue to urge the Kyrgyz government to resolve the pending cases and act in the best interests of children involved in the intercountry adoption process.